

Applic. No. 09/941,681

Amdt. dated December 13, 2005

Reply to Office action of November 17, 2005

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 70, 72-76, 78-91 remain in the application. Claims 70, 72, 73, 78-82, 84, 85, 89, and 91 have been amended. Claims 71 and 77 are being cancelled herewith.

In the second paragraph on page 2 of the above-identified Office action, claim 81 has been rejected as being indefinite under 35 U.S.C. § 112.

More specifically, the Examiner has stated that in claim 81, the phrase "said drug formulary information" lacks antecedent basis. Claim 81 has been amended so as to further clarify the claim. Therefore, the rejection is believed to have been overcome.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, second paragraph. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or clarificatory reasons. The changes are

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not provided for overcoming the prior art nor for any reason related to the statutory requirements for a patent.

In the fourth paragraph on page 2 of the Office action, claims 70, 73-76, 86-88, and 90 have been rejected as fully anticipated by Whalen et al. (U.S. Patent No. 5,327,341) (hereinafter "Whalen") under 35 U.S.C. § 102.

It is appreciatively noted from page 4 of the Office action that claims 71, 72, 77-85, 89, and 91 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 70 has been amended so as to include the subject matter of allowable claim 71. Therefore claim 70 is believed to be allowable, since claim 70 is allowable, dependent claims 72, 75, 76, 86, 87, 88, and 90 are allowable as well.

Claim 73 has been amended to include the subject matter of independent claim 70 and allowable claim 77. Therefore, claim 73 is allowable as well. Since claim 74 and 78 are allowable as well.

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Allowable claim 79 has been amended so as to include the subject matter of independent claim 70. Therefore, claim 79 is allowable as well.

Allowable claim 80 has been amended so as to include the subject matter of independent claim 70. Therefore, claim 80 is allowable as well.

Allowable claim 81 has been amended so as to include the subject matter of independent claim 70. Therefore, claim 81 is allowable as well.

Allowable claim 82 has been amended so as to include the subject matter of independent claim 70. Therefore, claim 82 is allowable as well. Since claim 82 is allowable dependent claim 83 is allowable as well.

Allowable claim 84 has been amended so as to include the subject matter of independent claim 70. Therefore, claim 84 is allowable as well.

Allowable claim 85 has been amended so as to include the subject matter of independent claim 70. Therefore, claim 85 is allowable as well.

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Allowable claim 89 has been amended so as to include the subject matter of independent claim 70. Therefore, claim 89 is allowable as well. Since claim 89 is allowable, dependent claim 90 is allowable as well.

Allowable claim 91 has been amended so as to include the subject matter of independent claim 70. Therefore, claim 91 is allowable as well.

Since only allowable claims remain, the early issuance of a Notice of Allowance is solicited herewith.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Enclosed herewith is the fee for 7 additional independent claims in the amount of \$1400.

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Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Robert M. Schwartz, P.A. 19-0734.

Respectfully submitted,


For Applicant(s)

AKD:cgm

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